

Reddie & Grose

Chartered Patent Agents
European Patent Attorneys
Trade Mark Agents

16 Theobalds Road
London WC1X 8PL

Telephone 071-242 0901
Fax 071-242 3290
Fax 071-242 0286
Telex 25445
DX 280

FACSIMILE/AIRMAIL CONFIRMATION

Fish & Neave
1251 Avenue of the Americas
New York
NY 10020
United States of America

Attention: Marta E. Gross Esq

COPY

John H. Bass B.Sc.
P. Antony Smith M.A.
F.A.B. Valentine M.A.
Richard C. Abnett M.A.
Paul A. Brereton M.A.
Keith E. Geering B.A.
Nicholas S. Marlow B.Sc.
Linda J. Harland B.Sc.
Jonathan M. Davies D.Phil
Patrick A.D. Lloyd B.Sc.

D.S. Jackson B.Sc.
J.J. Day B.Sc.

Consultant
David A. Pears M.A.

27th January 1993

JHB/HM/30775

PHILIP MORRIS MANAGEMENT CORP
NEW YORK PATENT OFFICE

FEB - 2 1993

Dear Marta

PM 1326 New Zealand
Our File: 30775

NOTED

CH/F

Thank you for your fax letter of 26th January and the enclosed reference.

As I suspected, these are not the simple disclosures of combustible carbides that the Examiner supposes.

In the case of Waldron's US Patent, the carbides are hydrolized to produce fuel gases. There is no disclosure of the combustion of carbides as such. What the Examiner is relying on (column 7) is apparently the tabulated values of 'heat of combustion' for various carbides, but it is explained in column 6 that this 'heat of combustion' is a theoretical value calculated from the quantity of carbon in the substance under discussion. On a quick reading, it appears to me that all the 'heat' values in Table I are theoretical values calculated from the formulae of the compounds concerned and do not represent observations of actual combustion. The possibility of calculating heats of combustion in this way is no disclosure whatever that the compounds concerned are in practice 'combustible'. I should be grateful if you would obtain an expert view on this passage in the reference and my interpretation.

So far as Hawley's Dictionary is concerned, the only carbide mentioned is tungsten carbide on page 905. This is said to 'oxidize' on heating with air, which surely does not amount to combustion, even though it may justify a calculation of a theoretical heat of combustion. Perhaps the Examiner is looking at the previous sentence, where it is said that tungsten carbide "burns with fluorine at room temperature". This is presumably why the Examiner cites page 229, where the definition of "combustion" mentions in a single sentence that this may occur in an atmosphere of chlorine as well as of air. Nevertheless, throughout the remainder of this entry and also the entry for "combustible material" combustion in air or oxygen is presumed to the point where it is not thought necessary to mention the atmosphere at all.

R&G

Patents · Trade Marks · Designs · Design Copyright

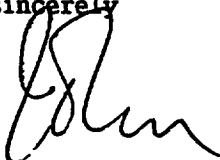
2026365379

27 January 1993

- 2 -

Please let me have your views and those of any technologist you may be able to consult. If my reading is correct, these references have no relevance whatever to the validity of the claim we are pursuing in New Zealand.

Yours sincerely



J.H. Bass

cc Jim Scherdt (a/m)

2026365380